

WIGGINS CHILDS
PANTAZIS FISHER
GOLDFARB PLLC
Advocates & Litigators

A PROFESSIONAL LIMITED LIABILITY COMPANY
2202 18th Street, N.W. · # 110 · WASHINGTON, D.C. 20009-1813

Office Direct Dial: 202-467-4489 · Fax: 205-453-4907
Email: TFleming@wigginschilds.com · Internet: www.wigginschilds.com

TIMOTHY B. FLEMING
OF COUNSEL

December 7, 2022

Via ECF only

The Honorable George B. Daniels
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

The Honorable Sarah Netburn
United States Magistrate Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

**Re: *In Re Terrorist Attacks on Sept. 11, 2001*, 03-MDL-1570 (GBD)(SN)
Ashton, et al. v. al Qaeda Islamic Army, et al., 02-cv-6977 (GBD)(SN)
Bauer, et al. v. al Qaeda Islamic Army, et al., 02-cv-07236 (GBD)(SN)
Ryan, et al. v. Islamic Republic of Iran, et al., 20-cv-00266 (GBD)(SN)**

Letter re: Order, MDL Doc. Nos. MDL Doc. No. 5312, 8703

Dear Magistrate Judge Netburn:

We submit this Letter Motion in order to attend to a final “housekeeping” aspect of the issues pertaining to the claims of Plaintiffs Patricia Ryan, as personal representative of the Estate of John J. Ryan, and individually in her own right, Kristin Ryan, Colin Ryan, Laura Ryan, Katherine Maher, as personal representative of the Estate of Daniel L. Maher, and individually in her own right, Daniel R. Maher, and Joseph F. Maher (“Ryan and Maher Plaintiffs”) that were discussed in the November 18, 2022 hearing concerning Your Honor’s November 4, 2022 Order (MDL Doc. No. 8703). The hearing addressed the severance of claims pending in the MDL on behalf of these Plaintiffs against Defendants other than the Islamic Republic of Iran and associated Iranian Defendants.

The Court’s November 26, 2019 Order (MDL Doc. No. 5312) authorized the opening of a new case and the filing of a new complaint against Iran and associated Iranian Defendants, which was done. *Ryan* Doc. No. 1. However, it did not order the transfer of the Ryan and Maher Plaintiffs’ existing judgment against Iran (*Bauer* Doc. No. 20), and related filings and orders in the *Bauer/Ashton* record, into the *Ryan* case itself. It is important to do so because that judgment presently entitles the Ryan and Maher Plaintiffs to participate in the United States Victims of State Sponsored Terrorism Fund. In order to remove the Ryan and Maher Plaintiffs from *Bauer/Ashton* entirely, we submit that it is appropriate to transfer their existing Iran judgments, and all filings leading thereto, into the *Ryan* action which was created pursuant to the Court’s November 26, 2019 Order.

The Honorable Sarah Netburn

December 7, 2022

Page 2

A proposed form of order is being filed contemporaneously with this Letter Motion. If necessary and appropriate, we would make ourselves available to the Clerk of Court to accurately identify by ECF number all filings and orders to be transferred to the *Ryan* docket.

Respectfully Submitted,

/s/ Timothy B. Fleming

Timothy B. Fleming (DC Bar No. 351114)

WIGGINS CHILDS PANTAZIS

FISHER GOLDFARB PLLC

2202 18th Street, NW, #110

Washington, DC 20009-1813

tfleming@wigginschilds.com

/s/ Dennis G. Pantazis

Dennis G. Pantazis (AL Bar No. ASB-2216-A59D)

WIGGINS CHILDS PANTAZIS

FISHER GOLDFARB LLC (lead counsel)

The Kress Building

301 Nineteenth Street North

Birmingham, Alabama 35203

(205) 314-0500

dgp@wigginschilds.com

Attorneys for Plaintiffs Patricia Ryan, as Personal Representative of the Estate of John J. Ryan, Deceased, Patricia Ryan, individually in her own right, Kristen Ryan, Laura Ryan, Colin Ryan, Katherine Maher, as Personal Representative of the Estate of Daniel L. Maher, Deceased, Katherine Maher, individually in her own right, Daniel R. Maher, and Joseph F. Maher